

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

In re:)	Case No.: 2015-28759-B-7
RASHAN RODDNEY ANDERSON)	Chapter 7
)	A.P. NO. 16-_____
_____Debtor(s)._____)	Date:
)	Time:
)	Location:
RASHAN RODDNEY ANDERSON)	Judge: Christopher D. Jaime
vs.)	
NATIONAL COLLEGIATE STUDENT)	
LOAN TRUST 2005-3, A DELAWARE)	
STATUTORY TRUST(S), NATIONAL)	
COLLEGIATE STUDENT LOAN TRUST)	
2006-3, A DELAWARE STATUTORY)	
TRUST(S), ACS/JP MORGAN CHASE)	
BANK, LOAN TO LEARN, NAVIENT)	
SOLUTIONS, INC.)	
Defendants)	

DEBTOR’S COMPLAINT TO DETERMINE
DISCHARGEABILITY OF STUDENT LOANS

Comes the Plaintiff herein, by counsel, and for his complaint against the Defendants, National Collegiate Loan Trust 2005-3, A Delaware Statutory Trust(s), National Collegiate Loan Trust 2006-3, A Delaware Statutory Trust(s), ACS/JP Morgan Chase Bank, Loan To Learn, and Navient Solutions, Inc. states as follows:

PARTIES

- 1. The Plaintiff, Rashan Roddney Anderson, is the Debtor in Case No. 15-28759 filed under

Chapter 7 of the Bankruptcy Code (11 U.S.C. § 101, et seq.) on November 10, 2015.

2. The Defendants, National Collegiate Loan Trust 2005-3, A Delaware Statutory Trust(s), National Collegiate Loan Trust 2006-3, A Delaware Statutory Trust(s), ACS/JP Morgan Chase Bank, Loan To Learn, and Navient Solutions, Inc. are creditors in the Debtor's Chapter 7 Bankruptcy Case No. 15-28759.

JURISDICTION

3. This is an adversary proceeding to determine the dischargeability of a debt pursuant to Fed.R.Civ.P. 7001(6). This Court has jurisdiction pursuant to 28 U.S.C. § 1334(b); 28 U.S.C. § 157(a) and 11 U.S.C. § 523. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(I).
4. Plaintiff is the debtor in this Chapter 7 case. Defendants are creditors of Plaintiff.
5. This is an adversary proceeding to determine dischargeability of a debt.
6. Plaintiff is indebted to Defendants as follows:

National Collegiate Loan Trust 2005-3, A Delaware Statutory Trust(s), account number 13-21xxx, balance \$47,283.77;

National Collegiate Loan Trust 2006-3, A Delaware Statutory Trust(s), account number 13-21xxx, balance \$37,239.64;

ACS/JP Morgan Chase Bank, account number 1065-5xxx, balance \$13,601.34;

Loan To Learn, account number 12-44xxx, balance \$19,620.25; and,

Navient Solutions Inc., account number 502935070277xxxx, balance \$20,976.16.

FACTUAL ALLEGATIONS

7. Plaintiff enrolled at National University in Fall 2004. He was enrolled in classes until May 2005 but received student loan funds from National University through 2006.

8. National University continued to allow Plaintiff to take out loans despite Plaintiff not being enrolled in classes or completing coursework.

CAUSE OF ACTION

9. These debts are not educational loans excepted from discharge under 11 U.S.C. § 523(a)(8).
10. In the alternative, if the Court should find that the debt is an educational loan excepted from discharge under 11 U.S.C. § 523(a)(8), excepting such debt from discharge under this paragraph will impose an undue hardship on the debtor.

WHEREFORE, Plaintiff prays that the Court determine that the debt owed to the Defendant is not an educational loan excepted from discharge under 11 U.S.C. § 523(a)(8) or such portion of it as the Court determines is an educational loan not otherwise subject to discharge that the Court find that repayment of the loan imposes an undue hardship on the Debtor and is dischargeable.

Dated: February 15, 2016

By: /s/ LaJuan E. Wood

LaJuan E. Wood
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of this document was served on the parties herein by electronic noticing from the Bankruptcy Court of by envelope addressed to the same addresses shown below with postage fully paid and by depositing said envelope in a United States Postal Service depository, at Sacramento, California, this 15th day of February, 2016.

By: /s/ LaJuan E. Wood

LaJuan E. Wood

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San Diego CA 92123

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Navient Solutions, Inc.
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